United Nations S/2009/509

Security Council

Distr.: General
6 October 2009
English
Original: Spanish

Letter dated 2 October 2009 from the Permanent Representative of Argentina to the United Nations addressed to the President of the Security Council

I have the honour to write to you in connection with the 2 x 9 Mechanism on Haiti, which brings together the Latin American countries contributing military and police personnel to the United Nations Stabilization Mission in Haiti (MINUSTAH).

In that connection, I transmit herewith the communiqué issued by the Governments of States members of the Mechanism (see annex).

I would be grateful if you could distribute this letter and its annex as a document of the Security Council.

(*Signed*) Jorge **Argüello**
Ambassador
Permanent Representative

09-54474 (E) 081009 081009

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Annex to the letter dated 2 October 2009 from the Permanent Representative of Argentina to the United Nations addressed to the President of the Security Council

Joint communiqué of the Governments of States members of the 2 x 9 Mechanism on Haiti

28 September 2009

The States members of the 2 x 9 Mechanism on Haiti agreed that the following considerations should be transmitted to the United Nations Secretary-General:

1. In its five years of activities, the United Nations Stabilization Mission in Haiti (MINUSTAH) has made a significant contribution to creating a secure and stable environment to support the Haitian State, which has facilitated unprecedented development in Haiti's political process. MINUSTAH has also contributed to building local State capacities, the development of international assistance and the beginning of a recovery in socio-economic development indicators. Nevertheless, the States members share the Secretary-General's assessment that the situation in Haiti remains fragile.

2. In the current circumstances, the international community should take action while considering the following elements in a coordinated way:

(a) In strengthening the efforts to achieve a secure environment, the work should progressively focus on Haitian institutional and socio-economic development in the interrelated areas of infrastructure, education, health, food security, job creation, the rule of law and human rights, taking into account the guidelines of the National Growth and Poverty Eradication Strategy Paper developed by the Haitian Government. In that context, the United Nations system should also strengthen the coordination of its agencies and enhance the articulation of international assistance. Otherwise, the progress that has been achieved may be lost;

(b) Haiti is still in need of a peaceful, secure and stable environment and it is therefore particularly important to ensure that the national Government has the institutional capacity to manage its own security within a short space of time. Greater efforts should therefore be made to achieve the strategic objective of professionalizing the Haitian State's human resources, especially members of the judiciary and the Haitian National Police. The States members of the 2 x 9 Mechanism reaffirm their willingness to continue contributing to training of the Haitian National Police and in that connection, note that the Working Group on Coordination for Latin American Cooperation with the Haitian Police Force has already begun the process of preparing and reviewing the diagnostic report and plan of action for such cooperation;

(c) In that context, the recommendations of the Secretary-General contained in document S/2009/439, including those relating to the reconfiguration of MINUSTAH forces, are appropriate and should be supported. It is also important to strengthen the Mission's dual capacities, which contribute to infrastructure development and Haitian capacity-building, thus reaffirming the multidimensional nature of the peace operation in Haiti;

(d) In October 2009, the mandate of MINUSTAH should be renewed for a period of one year.

3. It is recommended that the Secretary-General take into account the conclusions and recommendations of the Report of the Ad Hoc Advisory Group on Haiti of the Economic and Social Council (E/2009/105), which emphasizes the importance of ensuring the efficiency of assistance, identifies the main substantive areas in which international assistance should be focused, and recommends exploring ways of maximizing the support provided by MINUSTAH to achieve greater synergy between the mandate of the Mission and Haitian development needs.

The States members of the 2 x 9 Mechanism request the Security Council to incorporate the criteria referred to in this document into the mandate of MINUSTAH.

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6 October 2009

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Letter dated 6 October 2009 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, and in accordance with rule 2 of the provisional rules of procedure of the Security Council, I have the honour to request an urgent meeting of the Security Council to discuss the report of the United Nations Fact-Finding Mission on the Gaza Conflict led by Justice Richard Goldstone.

(*Signed*) Abdurrahman M. **Shalgham**
Ambassador
Permanent Representative

09-54617 (E) 071009

Please recycle

United Nations S/2009/511

Security Council

Distr.: General
7 October 2009

Original: English

Letter dated 1 October 2009 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to transmit herewith the communiqué of the 29th Summit of the Heads of State and Government of the Southern African Development Community, which was held in Kinshasa on 7 and 8 September 2009 (see annex).

I would be grateful for distribution of this letter and its annex as a document of the Security Council.

(*Signed*) Ileka **Atoki**
Ambassador

09-54555 (E) 081009

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Annex to the letter dated 1 October 2009 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

Communiqué of the 29th Summit of Heads of State and Government of the Southern African Development Community

1. The Summit of Heads of State and Government of the Southern African Development Community (SADC) was held in Kinshasa, Democratic Republic of the Congo, on 7 and 8 September 2009.

2. The Summit was officially opened by the SADC Chairperson, His Excellency President Jacob Gedleyihlekisa Zuma of the Republic of South Africa.

3. The Summit elected His Excellency President Joseph Kabila Kabange of the Democratic Republic of the Congo and His Excellency President Hifikepunye Pohamba of the Republic of Namibia as Chairperson and Deputy Chairperson of SADC respectively.

4. The Summit also elected His Excellency President Armando Emilio Guebuza of the Republic of Mozambique and His Excellency President Rupiah Bwezani Banda of the Republic of Zambia as Chairperson and Deputy Chairperson of the SADC Organ on Politics, Defence and Security Cooperation respectively.

5. The Summit was attended by the following Heads of State and Government:

Botswana	H.E. President Lt. Gen. Seretse Khama Ian Khama
Democratic Republic of the Congo	H.E. President Joseph Kabila Kabange
Lesotho	The Rt. Hon. Prime Minister, Pakalitha Mosisili
Mozambique	H.E. President Armando Emílio Guebuza
Namibia	H.E. President Hifikepunye Pohamba
South Africa	H.E. President Jacob G. Zuma
Swaziland	His Majesty King Mswati III
Zambia	H.E. President Rupiah B. Banda
Zimbabwe	H.E. President Robert G. Mugabe
Angola	Hon. Prime Minister Antonio Paulo Kassoma
Malawi	Hon. Professor Eta Banda, Minister of Foreign Affairs

United Republic of Tanzania	Hon. Bernard Membe, Minister of Foreign Affairs
Mauritius	Hon. Arvin Boolell, Minister of Foreign Affairs, Regional Integration and International Trade
Seychelles	Hon. Patrick Pillay, Minister of Foreign Affairs

6. The Summit was also attended by H.E. Sir Ketumile Masire, former President of the Republic of Botswana, and H.E. Joaquim Alberto Chissano, former President of the Republic of Mozambique. Both former Heads of State appraised the Summit on the progress made in their respective missions as SADC Eminent Persons and Mediators for the dialogue on the political situation in Lesotho and Madagascar respectively.

7. The following organizations were represented at the Summit: The African Development Bank, the African Union Commission, the Common Market for Eastern and Southern Africa, the East African Community, the United Nations Economic Commission for Africa and the International Conference on the Great Lakes Region.

8. His Excellency President Kabila Kabange, host of the 29th Summit, welcomed the SADC Heads of State and Government and all the other delegates to the Democratic Republic of the Congo.

9. His Excellency President Zuma delivered a speech to the Summit both as a new SADC leader following his inauguration as President of his country and as the SADC Chairperson. He highlighted positive developments in the socio-economic and political areas of SADC during his country's tenure of office and pointed out the challenges facing the region, including the impact of climate change and the global financial and economic crisis, and urged member States to continue the joint efforts in addressing them. On the political front, he urged the member States to collectively tackle the challenges in Lesotho, Madagascar and Zimbabwe. He thanked member States for the support rendered to his country during its tenure of office.

10. Accepting the SADC Chairpersonship, His Excellency President Joseph Kabila Kabange thanked the outgoing Chairperson for the progress achieved during his leadership of SADC and indicated that he would direct his efforts towards consolidating the gains achieved so far and ensure continuation in the implementation of SADC priorities for the benefit and improvement of the welfare of the people of the SADC region.

11. The Summit also received the maiden speech by President Rupiah B. Banda of the Republic of Zambia, thanking the member States for the support he received since he became President of his country last year. President Banda highlighted that, given peace and political stability underpinned by good governance and the right economic policy environment, SADC can perform to its full potential.

12. The Summit also noted a statement of the Executive Secretary of SADC, Dr. Tomaz Augusto Salomão, which highlighted, among other things that the region had been negatively affected by the global economic crisis. The

Executive Secretary also reported that the new SADC Headquarters had been completed and that the SADC Secretariat staff has since mid-August moved into the new building.

13. The Summit also received a report from the outgoing Chairperson of the Organ on Politics, Defence and Security Cooperation, His Majesty King Mswati III of the Kingdom of Swaziland. The Summit noted that the region remains peaceful and stable. The political and security challenges in a few parts of the region, especially the eastern part of the Democratic Republic of the Congo, the Kingdom of Lesotho, the Republic of Madagascar and the Republic of Zimbabwe are being effectively addressed.

14. On Zimbabwe, the Summit noted the progress made in the implementation of the Global Political Agreement and called on the international community to remove all forms of sanctions against Zimbabwe.

15. On Madagascar, the Summit noted the progress made in an effort to restore constitutional order in Madagascar. The Summit commended H.E. Joachim Alberto Chissano, former President of Mozambique and SADC Mediator, for the progress made thus far.

16. The Summit noted with concern the attempts to undermine the agreements signed in Maputo by all Malagasy political movements on 9 August 2009.

17. The Summit firmly rejected and strongly condemned any unilateral decision which violates the spirit of the Maputo agreements. The Summit further reiterated its decision on the suspension of Madagascar from SADC until the restoration of constitutional order in that country.

18. The Summit reiterates its support to the current political dialogue in Madagascar and urges all political stakeholders to fully implement the Maputo agreements.

19. On Lesotho, the Summit noted the report of the Eminent Person, former President Sir Ketumile Masire, and commended him for his efforts in the post-electoral political dialogue in Lesotho. The Summit further urged all the Basotho stakeholders to the dialogue to continue to be engaged in the process.

20. The Summit expressed gratitude to the Eminent Persons and Facilitators for their mediation and facilitation efforts and noted progress made in the implementation of agreements to address the political challenges in these countries.

21. The Summit noted the consolidation of democracy and political stability in the region. In particular, the Summit noted the free and fair manner in which the peoples of the Republic of Angola, the Republic of Malawi, the Kingdom of Swaziland, the Republic of South Africa and the Republic of Zambia have exercised their franchise at the polls last year and this year in the presidential, parliamentary, provincial and local elections. The Summit also noted that Botswana, Mozambique and Namibia are set to hold their elections during the last quarter of this year. The Summit congratulated the Government and people of the Republic of Angola, the Republic of Malawi, the Kingdom of Swaziland, the Republic of South Africa and the Republic of Zambia for the elections held and wished the other SADC member States well who are going to the polls later this year. The Summit also congratulated His Excellency

President Rupiah B Banda, His Excellency President Jacob G Zuma and His Excellency President Bingu wa Mutharika for winning elections in their respective countries.

22. The Summit considered progress made towards the achievement of the 50 per cent representation of women in political and decision-making positions at all levels in line with their 2005 decision. The Summit urged Member States especially those still to hold elections this year to ensure the gender parity goal. Furthermore, the Summit congratulated Malawi for appointing a female vice-president after the May 2009 elections.

23. The Summit noted progress made in the implementation of the SADC Free Trade Area and in the preparations for the negotiations of the SADC Customs Union and urged the Ministerial Task Force on Regional Economic Integration to ensure that outstanding issues are effectively addressed. The Summit also noted that the Task Force will meet in a Strategic Forum before the end of 2009 to further examine the regional economic integration agenda.

24. The Summit also reviewed the prevailing food security situation in the region and noted the improved production. Overall, the region estimates cereal surpluses in Malawi, Mozambique, South Africa and Zambia. The Summit noted that while food production and availability has improved in the region, access to food and malnutrition at household level remains a challenge due to low income and high food prices among others. The Summit urged member States to scale up the implementation of the Dar es Salaam Declaration on Agriculture and Food Security.

25. The Summit reiterated SADC's support of the African position on a comprehensive internal climate change regime beyond 2012 to be set within the United Nations Framework Convention on Climate Change conference to be held in Copenhagen, Denmark, in December 2009.

26. The Summit noted progress made in the implementation of the Maseru Declaration on Combating HIV and AIDS, particularly on Prevention of Mother to Child Transmission and the uptake of ARV. In order to achieve universal access targets and mitigate the impact of HIV and AIDS on socio-economic development and regional integration, the Summit urged member States to intensify their efforts in implementing the Maseru Declaration on Combating HIV and AIDS.

27. The Summit approved and/or signed the following six legal instruments:

(i) Memorandum of Understanding on Regional Cooperation and Integration among the Common Market for Eastern and Southern Africa (COMESA), the East African Community (EAC) and the Southern African Development Community (SADC);

(ii) Agreement Amending the Treaty of the Southern African Development Community (Deputy Executive Secretaries);

(iii) Agreement Amending the Protocol on Politics, Defence and Security Cooperation, and Consequential Amendments to the Treaty;

(iv) Declaration on Regional Cooperation in Competition and Consumer Laws and Policies;

(v) Agreement Amending the Protocol on the Development of Tourism in the Southern African Development Community.

28. The Summit appointed Dr. Tomaz Augusto Salomão as SADC Executive Secretary and Eng. João Samuel Caholo as SADC Deputy Executive Secretary for Regional Integration.

29. The Summit expressed its appreciation to the Government and people of the Democratic Republic of the Congo for the warm hospitality extended to all delegates and facilities placed at their disposal that made this Summit a success.

30. The Summit supported Malawi's candidature to be the next chairperson of the African Union.

31. The 2010 Ordinary Summit of Heads of State and Government will be held in the Republic of Namibia.

32. His Excellency President Joseph Kabila Kabange officially closed the Summit.

Kinshasa
8 September 2009

United Nations A/64/483–S/2009/512

General Assembly
Security Council

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7 October 2009

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General Assembly
Sixty-fourth session
Agenda items 9 and 12

Report of the Security Council

Prevention of armed conflict

Security Council
Sixty-fourth year

Identical letters dated 6 October 2009 from the Permanent Representative of Malta to the United Nations addressed to the Secretary-General and the President of the Security Council

I would like to refer to resolution 1889 (2009) that was adopted by the Security Council on 5 October 2009 on the implementation of Security Council resolution 1325 (2000) on women and peace and security.

Malta supports the overall thrust of resolution 1889 (2009). At the same time, Malta would like to register its reservation on that part of paragraph 10 of the resolution relating to "health services, including sexual and reproductive health and reproductive rights".

Malta maintains that any position taken or recommendation regarding women's empowerment and gender equality should not in any way create an obligation on any party to consider abortion as a legitimate form of reproductive health rights, services or commodities. Any discussion of rights and services in connection with reproductive health cannot take place outside the framework of one of the most fundamental of human rights — the right to life. Malta strongly believes that the right to life extends to the unborn child from the moment of conception, and that therefore the use of abortion as a means of resolving health or social problems is a denial of that right.

Malta therefore disassociates itself from and considers invalid all statements or decisions which use references to sexual and reproductive health, directly or indirectly, to impose obligations on anyone to accept abortion as a right, service or commodity that may exist outside the ambit of national legislation. It is also the understanding of my delegation that any future reference to Security Council resolution 1889 (2009) will also reflect the reservations outlined above.

I would be grateful if you would have this letter distributed as a document of the sixty-fourth session of the General Assembly under agenda items 9 and 12, and of the Security Council.

(*Signed*) Saviour F. **Borg**
Ambassador
Permanent Representative

09-54715 (E) 071009

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United Nations A/ES-10/464–S/2009/513

General Assembly
Security Council

Distr.: General
6 October 2009

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 5 October 2009 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to you in follow-up letter to our recent letter (A/ES-10/462-S/2009/494), regarding the tense and deteriorating situation in the Occupied Palestinian Territory, especially in Occupied East Jerusalem, due to the blatant provocations and illegal actions that continue to be committed by Israel, the occupying Power.

On Sunday, 4 October 2009, the occupying Power once again used excessive force in repressing Palestinian worshippers trying to defend Al-Haram Al-Sharif and Al-Aqsa mosque from incursions by extremist and militant Israeli settlers, whose repeated threats continue to incite further extremism and provoke an already volatile situation. Among those brutally beaten and detained by the Israeli occupying forces was elected Jerusalem Parliamentarian Hatem Abdel Qader, who was also fined nearly 6,000 dollars and banned from the Occupied City, his birthplace and home.

The recent clashes, as well as the widespread arrest and detention campaign and deployment of occupying forces in East Jerusalem, have also been accompanied by increasingly racist and provocative remarks against the indigenous Palestinian population of the city. These provocations are being carried out in addition to the incessant, aggressive and illegal Israeli colonization measures being perpetrated in Occupied East Jerusalem and the rest of the Occupied West Bank, which continues to witness the construction and expansion of settlements and all related settlement infrastructure and the continued deliberate transfer of Israeli settlers.

Construction is under way on approximately 800 new settlement units in 34 different illegal Israeli settlements across the Occupied Palestinian Territory. In addition, in a flagrant and defiant demonstration of Israel's total disdain for the clear international consensus in rejection of all settlement activities, plans are apparently proceeding for the approval of construction of a new Israeli settlement in the village of Al-Walajeh near Bethlehem — deep into the Occupied West Bank.

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Such illegal actions and incitement only reconfirm the Palestinian belief that the current right-wing Israeli Government is only interested in impeding peace efforts in the region and establishing a vast web of illegal facts on the ground that directly contradict and sabotage the very principle of the two-State solution for peace on the basis of the 1967 borders.

Indeed, while the Palestinian side continues to do its utmost to uphold its obligations and commitments and to promote an environment conducive for the pursuit of a just and final peace settlement, Israel, the occupying Power, continues to fervently attempt to alter the demographic composition, geography, character and status of Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, not seeking peace but seeking to annex de facto even more Palestinian land, in flagrant violation of international law and United Nations resolutions. The persistence of such illegal, immoral and aggressive behaviour will not only cause the further deterioration and destabilization of the situation on the ground, with the consequent heightened suffering and hardship for the Palestinian civilian population, but will also nullify any attempts for a resumption of the peace process.

Such belligerent disresp[illegible] international humanitarian law and the relevant United Nations resolutions, which undoubtedly represent the will of the international community, must be a cause of grave concern to us all. Further, it must be a strong incentive for urgent and unwavering efforts, including by the Security Council, to compel Israel to abide by its legal obligations, including those to which it has publicly committed itself, and to cease behaving as though it were a State above the law. Wavering in this regard, including by standing idly by as Israel persists with this reckless and dangerous campaign, would be extremely detrimental to the efforts to revive the peace process and would serve as a severe blow to the very credibility of these ongoing international peace efforts. We thus urge rapid and decisive action to prevent this volatile situation from escalating further.

This letter is in follow-up to our previous 344 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 28 September 2009 (A/ES-10/462-S/2009/494), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda **Abdelhady-Nasser**
Chargé d'affaires, a.i.